



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

230 SOUTH DEARBORN ST.

CHICAGO, ILLINOIS 60604

OCT 30 1989

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

David M. Finton  
Ebasco Services, Inc.  
255 Brandenton Avenue  
Suite 150  
Dublin, Ohio 43017

Dear Mr. Finton:

Thank you for your letter dated October 17, 1989, and accompanying enclosures.

I have reviewed the materials you have submitted and do not agree with you that you are not responsible for complying with the Administrative Order Pursuant to Section 106 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. Section 9606(a), issued to you, among others, on October 6, 1989. I am recommending that the United States Environmental Protection Agency (U.S. EPA) adopt the position that your discharge in bankruptcy dated November 19, 1984, does not cover this matter which has arisen subsequent to the discharge. If this becomes the Agency's position, the Administrative Order remains in full force and effect as to you and the other three listed Respondents. A conference regarding the requirements of this Order was held in U.S. EPA's regional offices in Chicago on October 25, 1989. Therefore, pursuant to paragraph 16 of the Order, all Respondents are required to provide notice of their intention to comply with the terms of this Order by November 10, 1989.

Very truly yours,

A handwritten signature in cursive script that reads "Brett L. Warning".

Brett L. Warning  
Assistant Regional Counsel  
U.S. Environmental Protection Agency  
230 South Dearborn Street (5CS-TUB-3)  
Chicago, Illinois 60604  
(312) 886-6733

finton.ltr/warning/tss/disk #1/10-27-89